

78A-6-210 Fines -- Fees -- Deposit with state treasurer -- Restricted account.

- (1) There is created within the General Fund a restricted account known as the "Nonjudicial Adjustment Account."
- (2)
 - (a) The account shall be funded from the financial penalty established under Subsection 78A-6-602(2)(d)(i).
 - (b) The court shall deposit all money collected as a result of penalties assessed as part of the nonjudicial adjustment of a case in the account.
 - (c) The account shall be used to pay the expenses of juvenile compensatory service, victim restitution, and diversion programs.
- (3)
 - (a) Except under Subsection (3)(b) and as otherwise provided by law, all fines, fees, penalties, and forfeitures imposed and collected by the juvenile court shall be paid to the state treasurer for deposit in the General Fund.
 - (b) Not more than 50% of any fine or forfeiture collected may be paid to a state rehabilitative employment program for delinquent minors that provides for employment of the minor in the county of the minor's residence if:
 - (i) reimbursement for the minor's labor is paid to the victim of the minor's delinquent behavior;
 - (ii) the amount earned and paid is set by court order;
 - (iii) the minor is not paid more than the hourly minimum wage; and
 - (iv) no payments to victims are made without the minor's involvement in a rehabilitative work program.
 - (c) Fines withheld under Subsection (3)(b) and any private contributions to the rehabilitative employment program are accounted for separately and are subject to audit at any time by the state auditor.
 - (d) Funds withheld under Subsection (3)(b) and private contributions are nonlapsing. The Board of Juvenile Court Judges shall establish policies for the use of the funds described in this subsection.
- (4) No fee may be charged by any state or local public officer for the service of process in any proceedings initiated by a public agency.

Renumbered and Amended by Chapter 3, 2008 General Session